

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#4

Applicants: Jennifer L. Schmitke, Donghao Chen, Richard P. Batycky, David A. Edwards and Jeffrey S. Hrkach

Application No.: 09/888,126 Group: 1619

Filed: June 22, 2001 Examiner: Not Assigned

For: PARTICLES FOR INHALATION HAVING RAPID RELEASE PROPERTIES

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on <u>12-18-01</u>	<u>Hollie Wakefield</u>
Date	Signature
<u>HOLLIE WAKEFIELD</u>	
Typed or printed name of person signing certificate	

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In reply to the Notice to File Missing Parts dated July 18, 2001, the following documents and fees are being submitted for filing in the captioned application. A copy of the Notice is attached.

- ☒ **EXECUTED DECLARATION/POWER OF ATTORNEY**
(Separate transmittal letter and postcard not required)
- ☐ **FILING FEE** - with Fee Transmittal for Patent Applications in duplicate.
(Separate transmittal letter and postcard not required)
- ☒ **SURCHARGE** - surcharge fee of \$130.00.
(Separate transmittal letter and postcard not required)
- ☐ **SEQUENCE LISTING** - Filed concurrently and is attached.
(Separate transmittal letter and postcard required)

01/25/2002 SFELEKE1 00000079 09888126
920.00 DP
02 FC:117

☐ **TRANSMITTAL OF SUBSTITUTE DRAWINGS**

☐ Sheets of substitute drawings consisting of Figs. 1 - ☐ are enclosed.
(Separate transmittal letter and postcard not required)

☒ **PETITION FOR EXTENSION OF TIME**

☒ Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated July 18, 2001 for three-months from September 18, 2001 to December 18, 2001. The appropriate fee of \$920.00 is included in the enclosed check.

☐ A ☐ month extension of time to respond to the Notice to File Missing Parts dated ☐ was filed on ☐ with payment of a \$☐ fee.

☐ Applicant hereby petitions for an additional ☐ month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$☐ is included in the enclosed check.

(Separate Petition for Extension of Time and postcard not required)

☐ **REQUEST FOR CORRECTED FILING RECEIPT** - Filed concurrently and is attached.
(Separate transmittal letter and postcard required)

☐ **STATEMENT CLAIMING SMALL ENTITY STATUS**

☐ Was filed on ☐.

☐ Is enclosed herewith.

(Separate transmittal letter and postcard not required)

☐ In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$☐ which were paid on ☐ to be deposited in Deposit Account No. 08-0380.

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of **\$1,050.00**. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By

Anne I. Craig

Registration No.: 32,976

Telephone: (978) 341-0036

Facsimile: (978) 341-0136

Concord, MA 01742-9133

Date: 12-18-01

**HAMILTON
BROOK
SMITH &
REYNOLDS, P.C.**

PATENTS, TRADEMARKS
COPYRIGHTS & LITIGATION

530 VIRGINIA ROAD
P.O. BOX 9133
CONCORD, MA 01742-9133
TEL (978) 341-0036
FAX (978) 341-0136
www.hbsr.com

MUNROE H. HAMILTON
(1906-1984)

DAVID E. BROOK
JAMES M. SMITH
LEO R. REYNOLDS
JOHN L. DUPRE
DAVID J. BRODY
MARY LOU WAKIMURA
ALICE O. CARROLL
N. SCOTT PIERCE
HELEN E. WENDLER
SUSAN G. L. GLOVSKY
DOREEN M. HOGLE
RICHARD W. WAGNER
ROBERT T. CONWAY
RODNEY D. JOHNSON
DAVID J. THIBODEAU, JR.
ANNE J. COLLINS
LISA M. TREANNIE

JACQUELINE M. ARENDT
GERALD M. BLUHM
JOHN M. CARD
LINDA M. CHINN
STEVEN G. DAVIS
JEFFREY J. DUQUETTE
CAROL A. EGNER
ERIK L. ENCE
TODD A. GERETY
ANTOINETTE G. GIUGLIANO
JOYCE C. HERSH
JONG P. HONG
PAUL P. KRIZ
C. STEVEN KURLOWECZ
HELEN LEE
CHRISTOPHER J. LUTZ
TIMOTHY J. MEAGHER
DEIRDRE E. SANDERS
KEVIN T. SHAUGHNESSY
MARK B. SOLOMON
J. SCOTT SOUTHWORTH
A. CRISTINA TAYLOR*
JON C. TRACHTENBERG
DARRELL L. WONG
* NOT ADMITTED IN MASS.

OF COUNSEL
RICHARD A. WISE
ANNE I. CRAIG
ELIZABETH W. MATA

SUPERVISING PATENT AGENT
CAROLYN S. ELMORE

PATENT AGENTS
SUSAN M. ABELLEIRA
SANDRA A. BROCKMAN
THERESA A. DEVLIN
CAROLINE M. FLEMING
MARY K. MURRAY
PAMELA A. TORPEY
ROBERT H. UNDERWOOD

TECHNOLOGY SPECIALISTS
PAUL G. ALLOWAY
KELLIE L. CARDEN
COLIN C. DURHAM
JESSE A. FECKER
JOSEPH M. MARALA
DAVID RUCANDO
VIVIAN TANNOCHE
KAREN J. TOWNSEND
BRIAN P. TURANO
MICHAEL M. YAMAUCHI
JOSEPH C. ZUCCHERO

MICHAEL KEWESHAN
ADMINISTRATIVE DIRECTOR
BARBARA J. FORQUE
ADMINISTRATOR OF
PATENT AND
TRADEMARK PRACTICE



COPY OF PAPERS
ORIGINALLY FILED

ANNOUNCEMENT

Please note that Hamilton, Brook, Smith & Reynolds, P.C.,
has relocated.

Effective immediately, our new postal address and contact
numbers are as follows:

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
530 VIRGINIA ROAD
P.O. BOX 9133
CONCORD, MASSACHUSETTS 01742-9133
USA

Telephone: (978) 341-0036
Facsimile: (978) 341-0136



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/888,126	06/22/2001	Richard P. Batycky	2685.2030-000

CONFIRMATION NO. 9053

FORMALITIES LETTER



OC000000006312731

Carolyn S. Elmore, Esq.
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
Two Militia Drive
Lexington, MA 02421-4799

Date Mailed: 07/18/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

01/25/2002 SFELEKE1 00000079 09888126

01 FC:105

130.00 OP